UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,628	07/13/2001	Dave Formanek	IZE.01US01	3699

			EXAMINER
27479	7590	07/29/2004	HUYNH, CONG LAC T

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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/905,628	FORMANEK ET AL.
	Examiner	Art Unit
	Cong-Lac Huynh	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 July 2001*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-20* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *13 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: the application filed on

7/13/01.

2.   Claims 1-20 are pending in the case. Claims 1, 3, 14, 20 are independent

claims.

Claim Objections

3.   Claim 7 is objected to because of the following informalities: the "text

blocks" within "said scaling of said *graphics blocks* is performed by adjusting the

resolution of said *text blocks*" (lines 4-5) is a typographical error since said

scaling of graphics blocks should be performed by an action on the graphics

blocks, not on the text blocks. Appropriate correction is required.

4.   Claims 9 and 10 are objected to because of the following informalities:

Regarding claim 9, the "are" within "wherein said first scaling factor *are* selected

by a user of said target device" (lines 1-2) is not correct. Appropriate correction

is required.

Regarding claim 10, the "is" within "wherein said *first scaling factor and said at*

least one additional scaling factor **is** selected by a user of said target device"

(lines 1-2) is not correct. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

6.   This application currently names joint inventors. In considering

patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a

later invention was made in order for the examiner to consider the applicability of

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

7.   Claims 1-5, 7-8, 12-14, 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rempell (US Pat No. 6,546,397 B1).

Regarding independent claim 1, Rempell discloses:

-     generating an image file of said electronic document if said electronic

      document does not exist as an image file (figure 4b and figure 30: the web

      page is generated as an image file of an electronic file)

- generating reflowed document image positions for said word locations so

  that said text in said reflowed document image does not normally exceed

  said target display width (figure 30: the fact that the paragraphs width is

  converted into local screen values inherently shows that the paragraphs in

  the web page are scaled so that they are fitted in the screen of the target

  display; in other words, the paragraphs of the web page after scaled are

  reflowed and do not exceed the target display width)

Rempell does not explicitly disclose identifying graphics blocks and identifying

word locations in said image file.

Instead, Rempell discloses that all the objects within the web pages can be

scaled to the user's screen resolution and then to the current browser window

size (col 2, lines 15-20, 43-50), where the objects such as the images and the

paragraphs in the web page can be scaled to the local screen value (figure 30).

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to have modified Rempell to include identifying graphics

blocks and word locations in the image file for the following reason. The fact that

the images, equivalent to graphics blocks, and the paragraphs, which include the

word locations, are scaled to the local screen values suggests that the images

and the paragraphs be identified to be scaled to the width of the local screen.

Regarding claim 2, which is dependent on claim 1, Rempell discloses:

- scaling graphics blocks that may exist in said image file so that said

  graphics do not exceed said target display width (figure 30: the fact that

the images are scaled by converting their widths and heights *to the local screen values where it is clear that the screen values includes the width value* inherently shows that the image sizes when scaled do not exceed the target display width)

- generating a reflowed document image position for said graphics (figure 30: the fact that the image width and height in the web page are converted into local screen values inherently shows that the web page is rearranged with the images scaled to be fitted in the screen of the target display; in other words, the images in the web page are reflowed after scaled for a reflowed document)

Regarding independent claim 3, Rempell discloses:

- generating an image file of said electronic document if said electronic document does not exist as an image file (figure 4b and figure 30: it is known that the web page is generated as an image file of an electronic file)

- generating reflowed document image positions for said word locations so that said text in said reflowed document image does not normally exceed said target display width (figure 30: the fact that the paragraphs width is converted into local screen values inherently shows that the web page is rearranged by the paragraphs scaled to be fitted in the screen of the target display; in other words, a reflowed document is generated with the scaled paragraphs from the web page that do not exceed the target display width)

- scaling graphics blocks that may exist in said image file so that said

graphics do not exceed said target display width (figure 30: the fact that

the images are scaled by converting their widths and heights *to the local*

screen values where it is clear that the screen values includes the width

value inherently shows that the image sizes when scaled do not exceed

the target display width)

- generating a reflowed document image position for said graphics (figure

30: the fact that the image width and height in the web page are converted

into local screen values inherently shows that the web page is rearranged

with the images scaled to be fitted in the screen of the target display; in

other words, the scaled images are reflowed for a reflowed web page)

Rempell does not explicitly disclose identifying graphics blocks and identifying

word locations in said image file.

Instead, Rempell discloses that all the objects within the web pages can be

scaled to the user's screen resolution and then to the current browser window

size (col 2, lines 15-20, 43-50), where the objects such as the images and the

paragraphs in the web page can be scaled to the local screen value (figure 30).

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to have modified Rempell to include identifying graphics

blocks and word locations in the image file for the following reason. The fact that

the images, equivalent to graphics blocks, and the paragraphs which include the

word locations, are scaled to the local screen values suggests that the images

and the paragraphs be identified to be scaled to the width of the local screen.

Regarding claim 4, which is dependent on claim 3, Rempell discloses scaling

said text blocks so that said text appears on said target display having a

predetermined size (figure 30: the paragraphs are scaled by converting the

paragraph width *to the local screen values where each local screen, of course,*

has a predetermined size).

Regarding claim 5, which is dependent on claim 4, Rempell discloses that scaling

text blocks is performed by adjusting the resolution of said text blocks (col 2,

lines 15-20, 43-50: the fact that all the objects of the web pages can *be scaled to*

the user's screen resolution where the objects include images and paragraphs

inherently shows that the paragraphs, equivalent to text blocks, be scaled by

adjusting the resolutions of said text blocks to the resolution of the user's

screen).

Regarding claim 7, which is dependent on claim 6, Rempell discloses that scaling

text blocks is performed by adjusting the resolution of said text blocks (col 2,

lines 15-20, 43-50: the fact that all the objects of the web pages can *be scaled to*

the user's screen resolution where the objects include images and paragraphs

(figure 30) inherently shows that the paragraphs, equivalent to text blocks, be

scaled by adjusting the resolutions of said text blocks to the resolution of the

user's screen). Rempell also discloses that scaling graphics blocks is performed

by adjusting the resolution of said graphics blocks (col 2, lines 15-20, 43-50: the

fact that all the objects of the web pages can *be scaled to the user's screen*

that the images be scaled by adjusting the resolutions of said image blocks to the resolution of the user's screen).

Regarding claim 8, which is dependent on claim 7, Rempell discloses that adjusting the resolution of said text blocks and said graphics blocks is performed using data reduction techniques (col 67, lines 45-67: the fact that the run time files include one compressed website specific and also include a dynamic web page scaling mechanism whereby each of said one or more generated web pages is scaled for viewing on the display shows that scaling or adjusting the display of data blocks is performed using the compression which is a data reduction technique).

Regarding claims 12 and 13, which are dependent on claims 3 and 6 respectively, Rempell discloses compressing said image file using image compression techniques (col 67, lines 45-67).

Claim 14 is the system of method claim 3, and is rejected under the same rationale.

Claim 20 is the system of method claim 1 and 2, and is rejected under the same rationale.

8.   Claims 6, 9-11, 15-19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rempell as applied to claim 3 above, and further in view of

Nolan (US Pat No. 5,754,873, 5/19/98, filed 6/1/95).

Regarding claim 6, which is dependent on claim 3, Rempell discloses scaling all

the objects of the web page including the text objects and graphics objects (col 2,

lines 15-20, figure 30). However, Rempell does not disclose identifying text

blocks having standard size text and non-standard text as well as scaling said

text blocks having standard text using a first scaling factor and scaling said text

blocks having non-standard text using at least one additional scaling factor.

Nolan discloses *scaling* the *text sections of a document selected by a user* where

each text section can have a different displayed size by a scaling command so

that the system will *calculate a scaling factor* for each preferred size entered by a

user (col 2, lines 32-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention was made to have modified Nolan to incorporate scaling the

standard text and non-standard text of a document using a first scaling factor and

at least one additional scaling factor for the following reason. The fact that Nolan

has the capability of scaling different types of text using different scaling factors

suggests the feature of scaling standard and non-standard text using different

scaling factors since it is obvious that the standard text and non-standard text are

basically different types of text having different sizes, and so, can be scaled by

different scaling factors. Further, it was well known that a user can enter an

additional scaling factors e.g., 50%, 100%, 150%, etc. as an additional zoom on the scaled text section for a desired outcome.

Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Nolan into Rempell since Nolan teaches scaling different text of different sizes using different scaling factors plus it was known that a user can select an additional scaling factors for further scaling providing the advantage to incorporate into Rempell for scaling standard text as well as non-standard text using suitable scaling factors for a desired result.

Regarding claim 9, which is dependent on claim 6, Rempell discloses that a user at the target device enters a command for resizing the width of the selected text area (col 26, lines 22-59). Rempell does not disclose explicitly that said first scaling factor is selected by a user of said target device.

Nolan discloses that by entering a preferred size for a selected text section by a user, the system will calculate the corresponding scaling factor (col 2, lines 32-59). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Nolan into Rempell for the following reason. Providing a scaling factor based on the preferred size entered by a user in Nolan indirectly shows that the scaling factor is selected by said user via the entered size. This provides Rempell the advantage that a user can select a preferred scaling factor for scaling a selected text portion of standard size text.

Regarding claim 10, which is dependent on claim 6, Rempell discloses that a

user at the target device enters a command for resizing the width of the selected

text area (col 26, lines 22-59). Rempell does not disclose explicitly that said first

scaling factor and said at least one additional scaling factor are selected by a

user of said target device.

Nolan discloses that by entering a preferred size for a selected text section by a

user, the system will calculate the corresponding scaling factor (col 2, lines 32-

59). It would have been obvious to one of ordinary skill in the art at the time of

the invention was made to have combined Nolan into Rempell for the following

reason. Providing a scaling factor based on the preferred size entered by a user

in Nolan indirectly shows that the scaling factor is selected by said user via the

entered size. Also, it was well known that a user can enter an additional scaling

factors e.g., 50%, 100%, 150%, etc. as an additional zoom on the scaled text

section. This provides Rempell the advantage that a user at a target device can

scale a selected text portion of non-standard size text by selecting a scaling

factor and at least one additional scaling factor for a desired outcome.

Regarding claim 11, which is dependent on claim 10, Rempell and Nolan do not

disclose that said target device is a display device for users having low vision.

However, it would have been obvious to one of ordinary skill in the art at the time

of the invention was made to have modified Rempell and Nolan to include the

feature that said target device is a display device for users having low vision for

the following reason. Rempell and Nolan have the capability of resizing and

scaling the objects of a document at the target device as mentioned above. This

suggests that Rempell and Nolan can be used by a user having low vision since

said user to adjust the display of a document by scaling said display to a desired

size suitable to his/her vision.

Claims 15-19 are for a system of method claims 6 and 9, and are rejected under

the same rationale.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Makipaa et al. (US Pat No. 6,556,217 B1, 4/29/03, filed 6/1/00).

Halstead, Jr. et al. (US Pat No. 6,667,750 B1, 12/23/03, filed 7/30/99).

Cooperman (US Pat No. 6,377,704 B1, 4/23/02, filed 4/30/98).

Mahoney et al. (US Pat No. 5,999,664, 12/7/99, filed 11/14/97).

Kaasila et al. (US Pub No. 2003/0137522, 7/24/03, filed 3/14/03, priority 5/2/01).

STOUB (US Pub No. 2001/0011364, 8/2/01, filed 1/7/98).

Lienhart et al. (US Pub No. 2002/0159636, 10/31/02, filed 3/14/00).

Badros et al., *A Constraint Extension to Scalable Vector Graphics,* ACM May

2001, pages 489-498.

Jerding et al., The Information Mural : a Technique for Displaying a Navigating

Large Information Spaces, IEEE September 1998, pages 257-271.

10.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Cong-Lac Huynh whose telephone number is

703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The

fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

Cong-Lac Huynh
Examiner
Art Unit 2178
7/23/04